



MAYOR & COUNCIL COMMUNICATION

Page 1 of 2

June 14, 2004

Subject: Amendments to Update Tucson Municipal Code, Chapter 15, Refuse (City-wide)

Issue – A public hearing was held on June 7, 2004 to discuss proposed amendments to the Tucson Municipal Code, Chapter 15, pertaining to refuse, recycling, code enforcement and landfill management. This was an opportunity to allow the public to not only address the actual proposed code amendments but also to provide input to the Mayor and Council regarding the proposed Environmental Services Fee and associated rules.

City Manager Recommendation – The City Manager recommends the Mayor and Council adopt the attached Ordinance.

Background – Environmental Services annually requests Mayor and Council adopt amendments to Chapter 15 of the Tucson Municipal Code in order to effectuate changes made necessary by modifications to programs and services or fees and charges affecting those programs and services.

Project Description and Analysis – The attached draft Ordinance, if adopted, will effectively replace the current Chapter 15 with new text and amendments. Key highlights include:

Revisions to the definitions for residential and commercial residential properties to classify which customers will be charged the residential versus the commercial refuse fees, (Article 1, Sec.15.1). Should the Mayor and Council approve the proposed amendments, residential customers would include all single-family households and multi-family dwelling units up to 24 units on any one lot. Commercial Residential property is defined as multiple dwelling units of 25 or more on one lot. New Chapter 15 code language that will classify Mobile Home Parks as Commercial has been added this year. Mobile Home Parks could then contract with the City or private haulers for service, similar to apartment housing.

Commercial Residential properties would be allowed to elect to have refuse service provided by either the City of Tucson or a private refuse hauler of their choice. Residential properties would be required to obtain service from the City. State Statutes allow municipalities to define their residential customer base and require those customers to utilize City refuse services.

New language has been added that authorizes a residential fee for collection service [Article III, Sec. 15-16 (d)] and that provides clarification of the authority to set rates for commercial collection [Article III, Sec.15.15 (b)].

MAYOR AND COUNCIL COMMUNICATION
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Page 2 of 2

Financial Considerations – There is no fiscal impact. The proposed code change authorizes the establishment of a residential fee for collection services but does not establish the actual fee. The fee is included in a related item scheduled for Mayor and Council consideration today.

Respectfully submitted,



James Keene
City Manager

JK: Eliseo Garza, Jr., Director
Environmental Services
JUNE14-04-305

Attachment:

Red Line of Chapter 15
Ordinance